

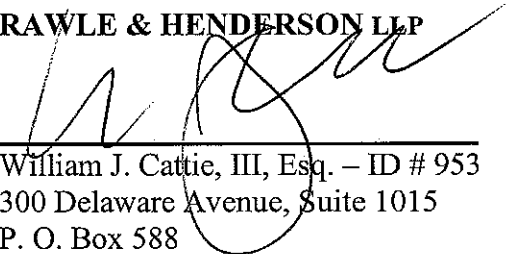
**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

HOWARD LEVEY, JOHN and SUSAN	)	
L. WALTER, h/w, and ALLSTATE	)	C.A. No. 06-510 JJF
INSURANCE COMPANY,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
BOAT AMERICA CORPORATION and	)	
DELAWARE BAY LAUNCH	)	
SERVICE, INC.,	)	
	)	
Defendant.	)	

**STATEMENT OF COUNSEL**

1. As counsel for Defendant Boat America Corporation, I contacted counsel for Plaintiffs and the Co-Defendant [Exhibit "A"].
  
2. Co-Defendant has no opposition to the Motion for Leave to File a Third-Party Complaint.
  
3. Plaintiffs have not responded as to their position [Exhibit "B"].

**RAWLE & HENDERSON LLP**

  
\_\_\_\_\_  
William J. Cattie, III, Esq. – ID # 953  
300 Delaware Avenue, Suite 1015  
P. O. Box 588  
Wilmington, DE 19899-0588  
302-778-1200  
Attorney for Defendant,  
Boat America Corporation

Dated: January 26, 2007

# **EXHIBIT A**

RAWLE & HENDERSON LLP



E-MAILED  
1/18/07

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January 18, 2007

Charles M. Oberly, III, Esq.  
Oberly, Jennings & Rhodunda  
1220 Market Street, Ste. 710  
P.O. Box 2054  
Wilmington, DE 19899-2054

Michael B. McCauley, Esq.  
Palmer Biezup & Henderson, LLP  
1223 Foulk Road  
Wilmington, DE 19803

RE: Howard Levey, John and Susan L. Walter, h/w, and  
Allstate Insurance Company v. Boat America Corporation  
and Delaware Bay Launch Service, Inc.  
C.A. No. 06-510  
Our File No. 301202

Dear Charlie and Mike:

I will be filing a Motion for Leave to File a Third-Party Complaint against Delmarva Towing & Salvage a/k/a Southern Delaware Towing and Salvage. A copy of the Third-Party Complaint is attached. I need to advise the Court if it will be opposed under Local Rule 7.1.1. Would you please let me know as soon as possible your position so that I can put it into my Statement of Counsel.

Very truly yours,

RAWLE & HENDERSON LLP

By:

  
William J. Cattie, III

WJC/lmm

**Lisa McCloskey**

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**From:** Lisa McCloskey  
**Sent:** Thursday, January 18, 2007 4:58 PM  
**To:** 'coberly@ojlaw.com'  
**Cc:** 'mccauley@pbh.com'  
**Subject:** Levey, et al v. Boat America, et al.

Please see the attached from William J. Cattie, III.

Lisa McCloskey  
Secretary to William J. Cattie, III  
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Wilmington, DE 19899  
Phone: (302) 778-1200  
Fax: (302) 778-1400

1/18/2007

# **EXHIBIT B**

**William J. Cattie, III**

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**From:** William J. Cattie, III  
**Sent:** Thursday, January 25, 2007 4:24 PM  
**To:** 'COBERLY@OJLAW.COM'  
**Subject:** LEVEY

Charlie,

What is your position on my Motion. I have to file tomorrow.

Bill